

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

BRUCE EDWARD BAUMGARDNER,

Defendant.

)
)
) Case No. 1:08CR00024-041
)

) **FINAL ORDER**
)

) By: James P. Jones
) United States District Judge
)

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that the defendant's Motion to Amend (ECF No. 2993) is GRANTED; the defendant's "Motion for Joinder" (ECF No. 2994) is DENIED; the United States' Motion to Dismiss (ECF No. 3000) is GRANTED; the defendant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 (ECF No. 2952), as amended, is DENIED; and the § 2255 proceeding is stricken from the active docket of the court.

Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: August 29, 2013

/s/ James P. Jones
United States District Judge